

RATIONAL ~~RAILROAD~~ ADJUSTMENT BOARD

THIRD DIVISION

Award Number 22079
Docket Number MS-21986

Don Hamilton, Referee

(Morris Z. Bishop

PARTIES TO DISPUTE: (

(Seaboard Coast Line Railroad Company

STATEMENT OF CLAIM: 1. Carrier violated the **agreement** when it allowed Mr. H. P. Moore to displace Mr. M. Z. Bishop from his regular **assignment** on June 14, 1976:

2. Carrier shall now **compensate** Mr. M. Z. Bishop at the Time and one-half rate for June 14, 1976 and each succeeding date that he is required to work outside of his assignment.

3. Carrier shall restore Mr. M. Z. Bishop to his regular **assignment** at the earliest opportunity.

OPINION OF BOARD: It is clear **from** the record that the **claim** presented was not handled in **conference** with the highest designated officer of the Carrier prior to **submission** to this Board. It is well settled that such a conference is a jurisdictional prerequisite and no dispute **may** be **submitted** to the Board in the absence of sane.

The **claim**, therefore, has not been handled in the usual **manner** under Section 3, First (i) of the Railway Labor Act or Section 2 thereof. The **claim** will, therefore, be **dismissed**.

FINDINGS: The Third Division of the **Adjustment** Board, upon the whole record and all the evidence, finds and holds:

That the parties waived oral hearing;

That the Carrier and the **Employees** involved in this dispute are respectively Carrier and **Employees** within the **meaning** of the Railway Labor Act, as approved June 21, 1934;

That this Division of the Adjustment Board has jurisdiction over the dispute involved herein; and

That the **Claim** be dismissed.

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Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Third Division

ATTEST: A. W. Pauls
Executive Secretary

Dated at Chicago, Illinois, this 31st day of May 1978.

